

Applicant : Daniel R. Foster
Serial No. : 10/759,394
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Attorney's Docket No.: 13213-061001

REMARKS

Claims 1-9, 12-13, and 17-25 are currently pending. Claims 1, 13, and 21 have been amended. No new matter has been added by these amendment.

Claim Objections

Claim 1 has been amended to correct a typographical error. The term "such" was amended to be "such that." No new matter has been added.

Claim Rejections under 35 U.S.C. § 112, ¶2

Claims 18 has been amended to clarify that the claim is drawn to the subcombination that does not include a prepaid gift card. Rather, claim 18 describes that the container is operable to releasably retain at least a portion of a prepaid gift card. No new matter has been added.

Claim 21 has been amended to provide antecedent basis for the phrase "that store." No new matter has been added.

Claim Rejections under 35 U.S.C. § 102(b)

Independent claims 1, 8, and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sullivan (PCT Publication No. WO 93/23254). Applicant respectfully submits that Sullivan does not teach each and every element of independent claims 1, 8, and 18. Accordingly, claims 1-9, 12-13, and 17-25 are not anticipated by the teaching of Sullivan.

Sullivan discloses a greeting card 2 that is integral with a container 3 disposed on the rear side of the greeting card. (See Sullivan, page 2, lines 13-17 (teaching that the container "is folded *against the rear* of the greeting card) (emphasis added).) In particular, Sullivan teaches that the container is secured to the rear wall 4 of the greeting card, not the front wall 5. The Office Action improperly identified Sullivan's rear wall 4 as a "front panel" and improperly identified Sullivan's front wall 5 as a "rear panel." Sullivan teaches that *the wall identified as numeral "4" is the rear wall of the greeting card*, and that the front wall 5 provides a

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covering/opening action to reveal the message written on the rear wall 4. In addition, Sullivan teaches that the front wall 5 may decorated on its outer front surface:

The second wall 5 is foldable between a first covering position when the second wall 5 obscures the message and/or signature written on the first wall 4 and a second open position when the message and/or signature is visible on the first wall 4. The second [i.e., front] wall 5 is often decorated on its outer surface and the first [i.e., rear] wall 4 commonly has a preprinted message.

(See Sullivan, page 3, lines 32-38.) Indeed, Sullivan teaches that the card 2 is preferably sized to similar dimensions of the container 3, which (according to Sullivan) permits the container 3 to be partially hidden behind the card 2:

The card 2 is similarly sized in two dimensions so that *when viewed from the front the card portion 2 obscures the package portion 3 behind.*

(See Sullivan, page 6, lines 13-16 (emphasis added).)

Unlike claim 1, Sullivan does not disclose a greeting card that includes a collapsible bag structure "attached to the front surface such that the collapsible bag structure is positioned forward of the front panel." Unlike claim 8, Sullivan fails to teach of a greeting card that includes a retaining means "being attached to the front surface of the front panel and being positioned forward of the front panel." Furthermore, unlike claim 18, Sullivan does not disclose a greeting card that includes a container "attached to the front surface." As such, independent claims 1, 8, and 18 and their associated dependent claims are not anticipated by Sullivan.

Claim Rejections under 35 U.S.C. § 103

Dependent claims 17 and 25 were rejected under 35 U.S.C. § 103 as being unpatentable over Sullivan in view of Douglas (U.S. Patent No. 5,815,964). As previously described, Sullivan does not suggest or disclose a container or a retaining means that is "attached to the front surface" of the front panel of the greeting card. Douglas also fails to disclose a container or a retaining means as claimed by the Applicant. Thus, even if the disclosures of Sullivan and Douglas were combined, such a combination would not result in the greeting cards as described in claims 17 and 25.

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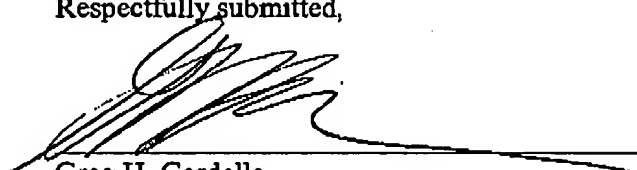
It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant notes that two entries on the enclosed PTO Form 1449 that accompanied the information disclosure statement filed April 12, 2005 were not initialed by the Examiner. The "Pocket Bag product" and "Card in a Bag product" references were submitted as color photocopies of actual product samples. Applicant respectfully requests that the two entries be initialed on the Form 1449, indicating that the references have been considered. If further information is needed concerning these references, the Examiner is invited to contact the undersigned.

No fee is believed to be due at this time. If necessary, please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date:



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